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United States of America

FILED

Oct 14, 2021

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEALED

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

BOBBI JO HEISS,
Defendant.

CASE NO. 1:21-CR-00248-NONE-SKO

VIOLATIONS: 18 U.S.C. § 1344 – Bank Fraud (8
Counts); 18 U.S.C. § 1028A(a)(1) – Aggravated
Identity Theft (2 Counts); 18 U.S.C. § 982(A)(2)(A) –
Criminal Forfeiture

INDICTMENT

COUNTS ONE THROUGH EIGHT: [18 U.S.C. § 1344 – Bank Fraud]

The Grand Jury charges:

BOBBI JO HEISS,
defendant herein, as follows:

INTRODUCTION

1. At all relevant times, the defendant resided in Fresno County, in the State and Eastern District of California.

2. At all relevant times, Central Valley Community Bank (CVCB), Educational Employee's Credit Union (EECU), Citibank, SunTrust Bank, United Security Bank, and Wells Fargo Bank, N.A. were financial institutions insured either by the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Share Insurance Fund (NCUA), and thus were federally insured financial institutions pursuant to Title 18, United States Code, Section 20.

1 **THE SCHEME TO DEFRAUD**

2 3. Beginning on a date unknown to the Grand Jury, but no later than in or about August
3 2020, and continuing until at least in or about September 2021, in the State and Eastern District of
4 California and elsewhere, the defendant did knowingly, and with the intent to defraud, execute and
5 attempt to execute a scheme and artifice to defraud individuals and federally insured financial
6 institutions, including CVCB, EECU, Citibank, SunTrust Bank, United Security Bank, and Wells Fargo
7 Bank, N.A., and to obtain monies, funds, credits, assets, and other property owned by, and under the
8 custody and control of, the financial institutions, by means of materially false and fraudulent pretenses,
9 representations, and promises.

10 **EXECUTION OF THE SCHEME**

11 4. In furtherance of her scheme to defraud and to obtain monies, funds, credits, assets, and
12 other property owned by and under the custody and control of the financial institutions, including the
13 funds of other individuals, the defendant employed the following manner and means, among others:

14 a. The defendant obtained and used, without authorization, various credit cards,
15 debit cards, bank account information and other personally identifiable information belonging to other
16 individuals located in the State and Eastern District of California.

17 b. The defendant used stolen information, including debit cards and bank account
18 information, without authorization, to make, and attempt to make, purchases and conduct other
19 transactions at retail stores, home improvement stores, and other businesses in, among others, Fresno
20 County, State and Eastern District of California. Some of these transactions occurred in person, while
21 others were online purchases, payments, or cash transfers.

22 c. The defendant also used the personally identifiable information, such as names,
23 apparent signatures, dates of birth, and driver's license numbers, belonging to other individuals to
24 facilitate her access to those individuals' bank accounts at federally insured financial institutions, to
25 make fraudulent and unauthorized transfers and payments from those accounts, and to open and attempt
26 to open new, unauthorized lines of credit.

27 d. The defendant obtained and used blank checks, forged checks, falsely endorsed
28 checks, or otherwise altered legitimate checks with personally identifiable information, belonging to

1 other individuals and businesses located in the State and Eastern District of California. The defendant
2 would then cash the checks, deposit them into accounts to which she had access at federally insured
3 financial institutions, or use the checks to make unauthorized purchases in, among others, Fresno
4 County, State and Eastern District of California.

5 5. As a result of her scheme to defraud, the defendant made, caused to be made, and
6 attempted to make over \$250,000 in fraudulent deposits, withdrawals, purchases, and other transactions
7 on individuals' and businesses' bank accounts and credit card and debit accounts owned by, and under
8 the custody and control of, federally insured financial institutions. The defendant knew at all times that
9 she was not authorized to make these transactions on the individuals' and businesses' accounts.

10 6. In carrying out the scheme to defraud the defendant acted at all times with the intent to
11 defraud.

12 7. Between August 2020 and September 2021, and including on the dates below, in the
13 State and Eastern District of California, the defendant did knowingly execute and attempt to execute her
14 scheme to defraud and to obtain monies, funds, credits, assets, and property of individuals' bank
15 accounts and credit and debit card accounts owned by, and under the custody and control of, federally
16 insured financial institutions, as follows:

COUNT	APPROX. DATES	DESCRIPTION
ONE	08/06/2020	\$3,500 payment at car dealership in Fresno using debit card ending in -5415 associated with CVCB Checking Account No. xxx2304 belonging to P.C.
TWO	11/28/2020	\$1262.23 payment at Home Depot in Clovis using debit card ending in -8309 associated with CVCB Checking Account No. xxx2304 belonging to P.C.
THREE	12/06/2020	Purchase of goods in amount of \$1,343.98 at Walmart in Clovis with check #6108 from EECU Checking Account No. xxxxxx6630 in C.R.'s name
FOUR	12/06/2020	Application in C.R.'s name for rental-purchase agreement for retailer Big Lots in Clovis to charge EECU Checking Account No. xxx7966 & Citibank Visa debit card ending in -6156 in an amount totaling \$5,528.82
FIVE	01/06/2021	Deposit of check into Wells Fargo Bank, N.A. account no. xxxxxx7193 written to, and with forged endorsement of, N.Z. in amount of \$1,001.00 from SunTrust Checking Account No. xxxxxx7329
SIX	04/25/2021	Deposit of checks written to, and with forged endorsement of, N.Z. in amounts of \$1,320.10 and \$1,798.20 into United Security Bank Account No. xxxxx1495
SEVEN	04/30/2021	Check written to car dealership in Fresno in amount of \$57,767.47 from Wells Fargo Bank, N.A. Checking Account No. xxxxxx4058 with name and driver's license number of J.R.

EIGHT	06/19/2021	Check written to car dealership in Fresno in amount of \$79,028.13 from Wells Fargo Bank, N.A. Checking Account No. xxxxxx7188 in name of, and with forged signature of D.M.
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All in violation of 18 U.S.C. § 1344.

COUNTS NINE THROUGH TEN: [18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft]

The Grand Jury charges:

BOBBI JO HEISS,

defendant herein, as follows:

8. Paragraphs 1 through 7 are fully incorporated as if set forth herein.

9. The term “means of identification” means any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including any: (A) name, social security number, date of birth, official State or government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number; (B) unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation; (C) unique electronic identification number, address, or routing code; or (D) telecommunication identifying information or access device.

10. The term “access device” means any card, plate, code, account number, electronic serial number, mobile identification number, personal identification number, or other telecommunications service, equipment, or instrument identifier, or other means of account access that can be used, alone or in conjunction with another access device, to obtain money, goods, services, or any other thing of value, or that can be used to initiate a transfer of funds (other than a transfer originated solely by paper instrument).

11. On or about the dates set forth below, in the State and Eastern District of California, the defendant did knowingly possess, transfer, and use, without lawful authority, a means of identification of another actual person, during and in relation to a felony enumerated in 18 U.S.C. § 1028A(c), including Bank Fraud, in violation of 18 U.S.C. § 1344, as follows:

COUNT	APPROX. DATES	ACTUAL PERSON	DESCRIPTION	CORRESPONDING COUNT
NINE	08/06/2020	P.C.	Name, social security number, date of birth, and driver's license number of P.C. on credit application for unauthorized purchase of 2019 Chevrolet Tahoe, license plate 8RYM836	ONE
TEN	04/30/2021	J.R.	Name, driver's license number, checking account number on \$57,767.47 check from Wells Fargo Bank, N.A. Checking Account No. xxxxxx4058 used for unauthorized purchase of 2017 Sierra GMC, license plate 42100D2	SEVEN

All in violation of 18 U.S.C. § 1028A(a)(1).

FORFEITURE ALLEGATION: [18 U.S.C. § 982(a)(2)(A) – Criminal Forfeiture]

1. Upon conviction of one or more of the offenses alleged in Counts One through Eight of this Indictment, defendant BOBBI JO HEISS shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(2)(A), any property constituting or derived from proceeds obtained directly or indirectly, as a result of said violations, including but not limited to the following:

- a) A sum of money equal to the amount of proceeds obtained directly or indirectly, as a result of such offenses, for which defendant is convicted.

2. If any property subject to forfeiture as a result of the offenses alleged in Counts One through Eight of this Indictment, for which defendant is convicted:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

1 it is the intent of the United States, pursuant to 18 U.S.C. § 982(b)(1), incorporating 21 U.S.C. § 853(p),
2 to seek forfeiture of any other property of said defendant, up to the value of the property subject to
3 forfeiture.

4
5 A TRUE BILL.

6
7 **/s/ Signature on file w/AUSA**

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FOREPERSON

PHILLIP A. TALBERT
Acting United States Attorney

KIRK E. SHERRIFF

By: KIRK E. SHERRIFF
Assistant U.S. Attorney
Chief, Fresno Office

No. _____

SEALED

FILED

Oct 14, 2021

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

Eastern District of California 1:21-CR-00248-NONE-SKO

Criminal Division

THE UNITED STATES OF AMERICA

vs.

BOBBI JO HEISS

INDICTMENT

**VIOLATION(S): 18 U.S.C. § 1344 – Bank Fraud (8 Counts);
18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft (2 Counts)
18 U.S.C. § 982(A)(2)(A) – Criminal Forfeiture**

A true bill,

187

Foreman.

Filed in open court this _____ day

of _____, A.D. 20 _____

Clerk.

Bail, \$ _____ ISSUE NO BAIL WARRANT _____

B. McAniff

10/14/21

AO 257

(Rev. 9/92) ☐ YES: SAB conflict in USAO (before 01/01/13) ☐ YES: SKO conflict in USAO (Before 4/12/10) PER 18 U.S.C. 3170**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURT**BY ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING: Case No.**OFFENSE CHARGED**

PLEASE SEE INDICTMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

Place of offense

County of Fresno

U.S.C. Citation

Please see Indictment

Name of District Court, and/or Judge/Magistrate Judge Location (City)
EDCA

Fresno, CA

DEFENDANT -- U.S. vs.

BOBBI JO HEISS

Address {

Birth Date

- ☐
- Male
- ☐
- Alien
-
- ☐
- Female (if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

SA B. Schofield, FBI / Det. L. Kitchens, FCSO

- ☐
- person is awaiting trial in another Federal or State Court, give name of court
-
- ☐
- this person/proceeding is transferred from another district per FRCrP
- ☐
- 20
- ☐
- 21
- ☐
40. Show District
-
- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:
-
- ☐
- U.S. Att'y
- ☐
- Defense } SHOW DOCKET NO.
-
- ☐
- this prosecution relates to a pending case involving this same defendant }
-
- ☐
- prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under } MAGISTRATE JUDGE CASE NO.

Name and Office of Person
Furnishing Information on
THIS FORM

Sara Thomas

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S.
Att'y (if assigned)

LAURA D. WITHERS

☒ FORFEITURE ALLEGATION

ADDITIONAL INFORMATION OR COMMENTS

DEFENDANT**IS NOT IN CUSTODY**

- 1)
- ☒
- Has not been arrested, pending outcome of this proceeding
-
- If not detained, give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☐
- On another conviction
-
- 6)
- ☐
- Awaiting trial on other charges }
- ☐
- Fed'l
- ☒
- State
-
- If answer to (6) is "Yes," show name of institution

Has detainer
been filed?☐ Yes☒ No

Mo.

If "Yes,"
give date
filed

Day

Year

DATE OF
ARREST

Or ... if Arresting Agency & Warrant were not Federal

Mo.

Day

Year

DATE TRANSFERRED
TO U.S. CUSTODY☐ This report amends AO 257 previously submitted

Penalties: See Penalty Slip. Please Issue No Bail Warrant.

United States v. Bobbi Jo Heiss
Penalties for Indictment

COUNTS 1-8:

VIOLATION: 18 U.S.C. § 1344 – Bank Fraud

PENALTIES: 30 years' imprisonment and/or \$1,000,000 fine
5 years' supervised release

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

COUNT 9-10:

VIOLATION: 18 U.S.C. § 1028A(a)(1) – Aggravated Identity Theft

PENALTIES: 2 years' imprisonment, mandatory, consecutive;
\$250,000 fine;
1 year supervised release

SPECIAL ASSESSMENT: \$100 (mandatory on each count)

FORFEITURE ALLEGATION:

VIOLATION: 18 U.S.C. § 982(a)(2)(A)

PENALTIES: As stated in the charging document